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**OFFICE OF PETITIONS**

In re Application of	:	
Sam M. Chaoui, Walter W. Mosher, and	:	
Mark M. Kotik	:	
Application No. 10/616,892	:	DECISION ON PETITION
Filed: July 9, 2003	:	
Attorney Docket No. PREDYN-43255	:	
Title: AUTOMATIC BLOOD ANALYSIS	:	
AND IDENTIFICATION SYSTEM	:	

This is in response to the petition under 37 C.F.R. §1.47(a)<sup>1</sup>, filed December 1, 2003.

On July 9, 2003, the application was deposited, identifying Sam M. Chaoui, Walter W. Mosher, and Mark M. Kotik as joint inventors. The application was deposited without an executed oath or declaration. On October 6, 2003, applicant was mailed a "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted" (Notice), requiring an executed oath or declaration in compliance with 37 C.F.R. §1.63, a surcharge for its late filing, the basic filing fee, and additional claim fees. This Notice set a two-month period for reply.

<sup>1</sup>A grantable petition under 37 C.F.R. §1.47(a) requires:

- (1) the petition fee of \$130;
- (2) a surcharge of either \$65 or \$130 if the petition is not filed at the time of filing the application, as set forth in 37 CFR § 1.16(e);
- (3) a statement of the last known address of the non-signing inventors;
- (4) either
  - a) proof that a copy of the entire application (specification, claims, drawings, and the oath or declaration) was sent or given to the non-signing inventor for review and proof that the non-signing inventor refuses to join in the application or
  - b) proof that the non-signing inventor cannot be found or reached after diligent effort;
- (5) a declaration which complies with 37 CFR §1.63.

On December 1, 2002, petitioner submitted a declaration executed by the later two listed joint inventors, a surcharge for its late filing, the basic filing fee, and additional claim fees. Petitioner has also submitted the last known address of the non-signing inventor, as well as a statement of one having firsthand knowledge that a complete copy of the application was sent to the last known address of the non-signing inventor. It is further established that the non-signing inventor orally refused to execute the declaration.

The petition is **GRANTED**.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(a), this Office will forward notice of this application's filing to the non-signing inventors at the addresses given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

After this decision is mailed, the application will be returned to the Office of Initial Patent Examination (OIPE) for completion of pre-examination processing.

Telephone inquiries concerning *this decision* should be directed to the undersigned at (703) 305-0011. Questions pertaining to this application should be directed towards the Office of Initial Patent Examination at (703)-308-1202.



Paul Shanoski  
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Office of Petitions  
United States Patent and Trademark Office